

Message Text

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44

ACTION EB-07

INFO OCT-01 EUR-12 IO-10 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 FRB-03

H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05 PA-01

AID-05 CIEP-01 SS-15 STR-04 TAR-01 TRSE-00 PRS-01

SP-02 FEAЕ-00 OMB-01 AF-06 ARA-06 EA-07 NEA-10 OIC-02

(ISO) W

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O R 251502Z NOV 75

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 6990

INFO USMISSION EC BRUSSELS

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E.O. 11652: N/A

TAGS: GATT, ETRD

SUBJ: GATT PANEL ON DISC AND RELATED TAX PRACTICES

REF: GENEVA 8830

1. EC COMMISSION (ABBOTT) TODAY SAID EC LIKELY TO MAKE NEW PROPOSAL ON SUBJECT PANEL AT NOVEMBER 26-28 GATT CP SESSION. EC "TENDENCY" AT THIS MOMENT IS TO MAKE STATEMENT LAMENTING NEARLY 2-1/2 YEARS' DELAY IN SETTING UP PANEL AND NOTING THAT SELECTION OF FISCAL EXPERTS HAS BEEN LARGEST PROBLEM. EC WOULD PROPOSE THAT FISCAL EXPERTS ON PANEL SIMPLY BE SUPPLIED BY EACH SIDE. FISCAL EXPERTS WOULD THUS BE ADVOCATES. GATT EXPERTS WOULD REMAIN AS IS; I.E., FALCONER, GABRIELSSON OR THEIR EQUIVALENTS WOULD REMAIN ON PANEL.

2. ABBOTT SAID NORMAL GATT PRACTICE FOR PANELS HAS BEEN FOR ADVOCATE EXPERTS AS PROPOSED ABOVE. (NOTE: LINDEN OF GATT
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SECRETARIAT SAYS IT DIFFICULT TO SAY FOR CERTAIN WHAT

PAST PRACTICE HAS BEEN BECAUSE THERE HAS ALWAYS BEEN IN-FORMAL CONTACT BETWEEN DELS ABOUT ACCEPTABILITY. HOW-EVER, HE SAID TENDENCY HAS BEEN TO APPOINT NEUTRAL EXPERTS AND NOT ADVOCATES.) WHILE RECALLING THAT US HAD IN PAST FAVORED "NEUTRAL" EXPERTS, ABBOTT HOPED US WOULD NOW AGREE THAT EXPERIENCE HAS SHOWN THAT PRACTICAL OB-STACLES TO FORMING PANEL IN THAT MANNER ARE TOO GREAT. HE SAID EC DID NOT ANTICIPATE CHARGING US WITH FOOT-DRAGGING BUT RATHER MIGHT NOTE PRACTICAL HURDLES HAVE PROVED ENDLESS.

3. WHEN ASKED WHETHER EC WOULD EXPECT CPS TO REACT TO THEIR NEW PROPOSAL ON THE SPOT, ABBOTT SAID THIS MIGHT BE MOST OPTIMISTIC OUTCOME. WE VENTURED IT MIGHT NOT BE POSSIBLE FOR US TO RESPOND ON SUCH SHORT NOTICE BUT PROMISED REPORT IMMEDIATELY TO WASHINGTON. ITEM MIGHT BE CARRIED OVER TO NEXT COUNCIL MEETING IF AGREEMENT NOT POSSIBLE AT CP SESSION.

4. ACTION REQUESTED: PLEASE ADVISE BY IMMEDIATE CABLE HOW TO RESPOND AT CP SESSION.DALE

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Message Attributes

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Margaret P. Grafeld
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